

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

OLIVIA Y., *et al.*

PLAINTIFFS

v.

CIVIL ACTION NO. 3:04CV251LN

HALEY BARBOUR, as Governor of the State of Mississippi, *et al.*

DEFENDANTS

DECLARATION OF TECHNICAL DIFFICULTIES

Please take notice that Plaintiffs were unable to file the Parties' Period 2 Annual Implementation Plan in a timely manner due to technical difficulties. The deadline for filing the Period 2 Annual Implementation Plan was May 1, 2009. The reasons that Plaintiffs were unable to file the Period 2 Annual Implementation Plan in a timely manner and the good faith efforts Plaintiffs made prior to the filing deadline to both file in a timely manner and to inform the court and the other parties that we could not do so are set forth below.

Plaintiffs attempted to file the Parties' Period 2 Annual Implementation Plan on May 1, 2009, but were unable to access the ECF system for the Southern District of Mississippi. Plaintiffs unsuccessfully attempted to access the system numerous times. Plaintiffs contacted Defendants to inform them of the technical difficulties. Plaintiffs then emailed the Period 2 Annual Implementation Plan to the chambers of Judge Lee noting the technical difficulties.

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted, this 4th day of May, 2009.

/s Jessica Polansky

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PLAINTIFFS' COUNSEL

CERTIFICATE OF SERVICE

I hereby certify that on May 4, 2009, I electronically filed the foregoing Declaration of Technical Difficulties and the Period 2 Annual Implementation Plan with the Court using the ECF system, which sent notification of such filing to the following:

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